

Notice of Allowability

Application No.

09/925,147

Examiner

Jalatee Worjloh

Applicant(s)

BIBLE ET AL.

Art Unit

3621

5

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 7/26/2004.
2. ☒ The allowed claim(s) is/are 1,3-10 and 16-20.
3. ☐ The drawings filed on _____ are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☒ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☒ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☒ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date 7/26/2004
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

JAMES P. FRANKELL
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600

DETAILED ACTION

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Neil K. Nydegger (Reg. No. 30,202) on October 14, 2004.

The application has been amended as follows:

1. (Currently Amended) A method for using a system to conduct encrypted commercial transactions with an encrypted file in e-commerce on the Internet which comprises the steps of:
 - creating said file, on the Internet, with said file having a first part and a second part;
 - encrypting said first part of said file with a first private key, wherein said first part of said file includes a second private key;
 - encrypting said second part of said file with said second private key;
 - decrypting said first part of said file with said first private key in response to a commercial transaction between a seller and a buyer;
 - retrieving said second private key from said first part; and

Art Unit: 3621

decrypting said second part of said file with said second key to complete the transaction.

16. (Currently Amended) A method for using a system to conduct encrypted commercial transactions between a buyer and a seller, wherein said method involves a transaction agent and comprises the step of:

presenting a file, said file being created, on the Internet, by the seller and containing at least an overhead and a content, with said overhead being encrypted with a first private key and said content being encrypted with a second private key; and

decrypting said content of said file by employing said second private key to reveal said content of said file by employing said second private key to reveal said content of said file for use by the buyer to complete a commercial transaction between the buyer and the seller.

Allowable Subject Matter

2. Claims 1, 3-10, 16-20 are allowed.

Reason for Allowance

3. The following is an examiner's statement of reasons for allowance:

The closest prior art of record is U.S. Publication No. 2002/0112171 to Ginter et al.

Ginter et al. disclose creating a file, said file having a first part (i.e. permission record/PERC") and a second part (i.e. "content"), encrypting the first part with a first private key and encrypting the second part with a second private key; wherein, the first part contains

Art Unit: 3621

decryption keys. Ginter et al. taken either individually or in combination with other prior art of record fails to teach or suggest retrieving said second private key from said first part as recited in independent claim 1 and decrypting said content of said file by employing said second private key to reveal said content of said file for use by the buyer to complete a commercial transaction between the buyer and the seller as recited in independent claim 16.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- "The Secure Distribution of Digital Contents" by Faber et al. discloses the structure of encrypted contents, which includes a header, message authentication code and encrypted contents.
- International Publication NO. WO 00/14918 to Garrison discloses a method for encrypting data messages, the message including an encrypted header.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jalatee Worjloh whose telephone number is 703-305-0057. The examiner can normally be reached on Mondays-Thursdays 8:30 - 7:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Trammell can be reached on 703-305-9768. The fax phone number for the

Art Unit: 3621

organization where this application or proceeding is assigned is 703-872-9306, 703-746-9443 for Non-Official/Draft.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
PO Box 1450
Alexandria, VA 22313-1450

Hand delivered responses should be brought to Crystal Park 5, 2451 Crystal Drive, Arlington, V.A., Seventh floor receptionist.

October 14, 2004